

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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**ADP BULLETIN**

Title: Application of Title 9, CCR, Section 9854(h)		Issue Date: 7-21-98 Expiration Date:	Issue No. 98-35
Deputy Director Approval Robert L. Jackson, R.Ph. Deputy Director Quality Assurance Division	Function [] Information Management [x] Quality Assurance [] Service Delivery [] Fiscal [] Administration	Supersedes Bulletin/ADP Letter No. DUIPB #96-02 January 25, 1996	

PURPOSE

This bulletin is to provide clarification to County Alcohol and Drug Program Administrators and licensed Driving-Under-the-Influence (DUI) Program Providers regarding the application of Title 9, California Code of Regulations (CCR), Section 9854(h), Group Counseling Sessions.

DISCUSSION

Regulations pertaining to Group Counseling Sessions [Title 9, CCR, Section 9854(h)] require the following:

- A...(h) The program shall document attendance, participation, and progress at group counseling sessions in each participant=s case record.≡

Under Driving-Under-the-Influence Program Branch (DUIPB) #96-02, dated January 25, 1996, the Department has applied Section 9854(h) to require documentation of the specified elements once a month (for three-month programs) or every three months (for programs of longer duration). This interpretation was applied on a pilot basis in response to concerns expressed by program providers. The pilot period is now over, and the Department determined that the interpretation of the regulation provided under the pilot project is not in keeping with the provisions of Section 9854(h). Accordingly, DUIPB #96-02- is no longer effective.

The Department will conduct future licensing review and monitoring activities relating to Section 9854(h) as follows: Licensees are required to document attendance, participation, and progress for group counseling sessions. Documentation must be maintained in each participant=s case record. All components of the regulation (attendance, participation, and progress) must be documented for those dates on which the participant attended a group counseling session. The regulation does not require that documentation be made on the same date that counseling services were provided, only for each counseling session.

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The Department=s DUI Advisory Committee is reviewing this issue and is expected to recommend changes to the regulation relating to group progress notes. The bulletin is expected to remain in effect until further regulations are adopted.

REFERENCES

1. Title 9, CCR, Section 9854(h)
2. DUIPB #96-02
3. DUIPB #95-17

HISTORY

On December 1, 1995, the DUI Program Branch sent a letter (DUIPB: #95-17) regarding the adoption of Title 9, CCR, Section 9854(h), which required programs to document the participant=s participation and progress in group counseling sessions. After the letter was issued, the Department received a number of telephone calls from DUI programs expressing concern and wanting to know how the Department would apply Section 9854(h).

After analysis of the Section and discussion with members of the DUI Advisory Committee, the Department determined that programs would be required to document participant participation and progress once a month (for three-month programs) or every three months (for programs of longer duration). On January 25, 1996, the Department distributed DUIPB #96-02 stating the Department=s application of the Section. The stated duration of this application of the regulation was to be one year, after which the issue would be revisited. No change has subsequently been made to Section 9854(h), and the pilot period has now expired.

QUESTIONS/MAINTENANCE

Any questions or concerns may be directed to your respective state program analyst at the DUI Program Branch, (916-322-2964).

EXHIBITS

No exhibits

DISTRIBUTION

Licensed DUI Program Providers
County Alcohol and Drug Program Administrators
Wagerman Associates, Inc.
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